

No State Probe Of Cloak Strike At This Time

Counsel for Both Workers' Union and Employers Refuse To Be Parties to Inquiry Before Board

Court Action Sought First

Injunction Proceedings Merit Decision by Judicial Tribunal, Attorneys Contend

There will be no present state investigation of the garment strike. Refusals yesterday of counsel for both the Cloak, Suit and Skirt Manufacturers' Protective Association and the International Ladies' Garment Workers' Union to be parties to an inquiry before the board appointed by the State Industrial Commissioner put off indefinitely the scheduled taking of testimony.

Both sides insisted that, in view of the injunction proceedings brought by the union, there should be a determination of the legal aspects of the situation by a judicial tribunal. For an hour or so the debate moved back and forth. At times it became sharp. Commissioner Sayer and Chairman Higgins upheld the right of the board of inquiry to proceed, but when Judge Northrup, its counsel, attempted to call the first witness Mr. Untermyer said he might well withdraw.

The board then announced, after a brief conference, that it would suspend its inquiry, further appearances to be subject to notice.

The full membership of the board, which consists of John D. Higgins, of Oswego, chairman; Marcus M. Marks, clothing manufacturer and former President of the Borough of Manhattan, and Hugh Frayne, general organizer of the American Federation of Labor, was on hand.

William Klein, attorney, and Max D. Steuer, special counsel, appeared for the manufacturers' association, Morris Hillquit, attorney, and Samuel Untermyer, of counsel, representing the union.

To suggestions of the lawyers raising doubt as to the authority of the board, its inability to enforce findings and the contention that, in view of the injunction, precedence should be given the courts, it was replied that court proceedings might take years, as in the Danbury hatters' case, and that the commissioner had endeavored to prevent the strike in the first place, and had then appointed the board before the injunction proceedings were begun.

Mr. Untermyer said that if the validity of the contract were established by the courts the economic questions could be settled by the parties among themselves.

The first objection to the inquiry was made by Mr. Untermyer. While the industrial commissioner could investigate the industry, he said, he could not delegate this power to a board. Both parties must consent before it could function, he declared, and as the union had enjoined the manufacturers' association from violating the contract and conspiring to enforce piece work and longer hours on the workers, the board should withhold its inquiry. He said he thought it would be disrespectful to the court to proceed.

When Chairman Higgins stated firmly that he believed the causes of the strike to lie much deeper than the contract and that the inquiry had begun before the injunction was had, Mr. Untermyer disclaimed any intention to oust the board by going to court.

"Why you should break into our situation before we go before a legal tribunal is difficult for me to comprehend," Mr. Untermyer remarked.

"I reject the imputation," Commissioner Sayer replied, "that this board is trying to inject itself into a situation that is now before the courts. This department began its investigation long before the strike was called, long before there was any conception of a court action."

Mr. Steuer did not object to an economic investigation, but opposed flatly a determination by the board of the existence or non-existence of a contract. In addition, he did not intend, he said, to discuss terminology, referring to the present "week-work" system and the "piece-work" demanded by the employers. He wanted work and pay equitably adjusted, under whatever name, he said, and it was for the court to pass upon the question of a contract.

Mr. Hillquit then took up the union's side, holding closely to the contract issue and calling the board's attention to the authority behind a court decision.

Mr. Untermyer seemed to grow impatient at the tenacity with which the state officers clung to their opinions. He drew a distinction between the board and "the paid officers" of the labor department that brought a warm reply from Commissioner Sayer. The protest was echoed by Judge Northrup, who jumped out of his chair and called for Louis Lustig, of the manufacturers, to take the stand at once.

All the counsel objected, Mr. Untermyer concluding by announcing his retirement. The board then withdrew. When it returned Chairman Higgins announced that a formal decision would be held in abeyance pending a definite conclusion, when the parties would be notified. He believed an adjustment could be reached to resume work without prejudice to either side.



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Is She Dexterous at Skiing?

It is just such a costume as this practical rugged one that makes her scorn a spill in the snow. Reefer pockets protect the hands during less active moments. Developed of navy English cloth with knickers adjustable at the knee. Her blouse is white dimity banded in French blue and orange linen. The shoes she adjusts her skis to are of water-proof cordovan built extra high.

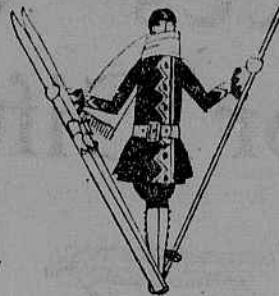
To Hills for Tobogganing



The quickest, slickest way between two points is via bob-sled Ltd. and the smartest traveling togs for this are—a felt cap, a very soft and wide imported woolen scarf in such intriguingly colored checks as magenta and navy, a knicker suit of imported English tweed, huge cuffed brushed wool gloves, and cuffed woolen hose.

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Inspired by the need of the hour is a recent importation for Northern Sports or Southern. Soft angora rolls a narrow brim off the face—just enough to shade the eyes—\$10.50

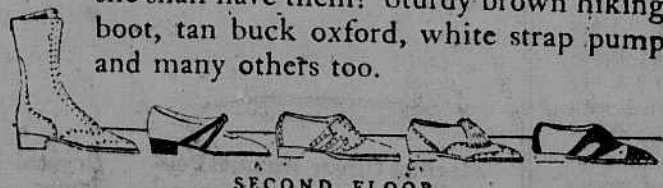
Visca and worsted, hand-woven, adopt a close-fitting, jaunty little shape, comfortable, light and soft beyond belief. \$10.75

Firefly, citron, tangerine, sunset, honey are a few of the enchanting new shades.

FOURTH FLOOR

The Sportswoman's Shoes

She needs as many kinds as there are sports—and she shall have them! Sturdy brown hiking boot, tan buck oxford, white strap pump and many others too.



SECOND FLOOR



Knitted Frocks Are Smart

For outdoor morning wear at Palm Beach, for indoor tea-time wear at Lake Placid, knitted frocks loom up as the smartest things of the advance season. This Paris import from the Sweater Department outlines with ciré ribbon.

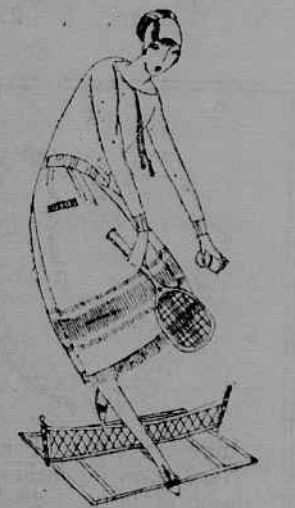
Golf on Christmas Morning

It will be done in Santa Barbara and fetchingly too in an essentially summer costume that starts with a skirt of light-weight, light green heatherspun, proceeds with a sleeveless waistcoat and completes with a circular cape with scarf attachment. The newest skirts are homespun tweed, kasha cloth and baskette with waistcoats, capes, and coats to match, also in the Skirt Department.



Florida is Keen for Tennis

Or your hostess may be planning a set of tennis for Christmas morning, and it matters little whether you have Mrs. Mallory's stroke if you are wearing an imported grey shawl skirt bordered with that perfect violet blue, a handmade Shetland slip-over with a shoulder-to-shoulder neckline—both gifts tucked in your trunk as you were leaving town two nights before Christmas. Your white tennis shoes have bands of color—and corrugated rubber soles.



The Amazed Diana

Never had it occurred to her what to do in case of discovering the rabbit so busy had she been selecting her hunting costume in brown or tan English mixtures with its amusing short skirt and very correct breeches with suede reinforcements and she found that without the skirt this hunting suit turns into a perfect winter riding habit. The indispensable blouse she selected was silk broad.



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